

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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BARBARA BRYANT,	:	
	:	
Plaintiff,	:	05 CV 8112 (CM) (HBP)
	:	
- against -	:	
	:	<b>DEFENDANT VERIZON</b>
VERIZON COMMUNICATIONS,	:	<b>COMMUNICATIONS'</b>
COMMUNICATION WORKERS OF AMERICA	:	<b>PROPOSED JURY</b>
LOCAL 1103 AND COMMUNICATIONS WORKERS	:	<b><u>VERDICT FORM</u></b>
OF AMERICA,	:	
	:	
Defendants.	:	
-----	X	

Defendant Verizon Communications ("Verizon"), by its attorneys, Epstein Becker & Green, P.C., respectfully requests that the attached questions be submitted to and answered by the jury at the close of the trial in this action.

Defendant Verizon reserves the right to amend its proposed jury verdict form as necessary to conform to the evidence at trial, as well as any rulings of law the Court may render during the course of these proceedings.

Dated: New York, New York  
January 11, 2008

EPSTEIN BECKER & GREEN, P.C.

By: /s/ Carrie Corcoran  
Michael A. Kalish  
Carrie Corcoran  
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Attorneys for Defendant Verizon  
Communications



**JURY VERDICT FORM**

**A. Discrimination Claim -- Termination**

1. Do you find that Plaintiff has proven by a preponderance of the evidence that she was satisfactorily performing her job?

Yes \_\_\_\_\_ No \_\_\_\_\_

If your answer is No to this Question, skip Questions 2 through 5 and go directly to Question 6.

2. Do you find that Plaintiff has proven by a preponderance of the evidence that her termination occurred under circumstances giving rise to an inference of gender discrimination?

Yes \_\_\_\_\_ No \_\_\_\_\_

3. Do you find that Plaintiff has proven by a preponderance of the evidence that her termination occurred under circumstances giving rise to an inference of race discrimination?

Yes \_\_\_\_\_ No \_\_\_\_\_

If your answer is No to Questions 2 and 3, then skip Questions 4 and 5 and go directly to Question 6.

4. Do you find that Plaintiff has proven by a preponderance of the evidence that the reason given by Verizon for Plaintiff's termination is not true and that gender discrimination is the real reason for Verizon's decision to terminate Plaintiff's employment?

Yes \_\_\_\_\_ No \_\_\_\_\_

5. Do you find that Plaintiff has proven by a preponderance of the evidence that the reason given by Verizon for Plaintiff's termination is not true and that race discrimination is the real reason for Verizon's decision to terminate Plaintiff's employment?

Yes \_\_\_\_\_ No \_\_\_\_\_

**B. Discrimination Claim – Terms and Conditions of Employment**

6. Do you find that Plaintiff has proven by a preponderance of the evidence that the alleged denial of access to equipment, disregard of her seniority rights in the assignment of equipment and the assignment of Plaintiff to work alone in dangerous areas were adverse employment actions?

Yes \_\_\_\_\_ No \_\_\_\_\_

If your answer is No, then skip Questions 7 through 9 and go directly to Question 10.

7. Do you find that Plaintiff has proven by a preponderance of the evidence that Verizon denied her access to equipment, disregarded her seniority rights in the assignment of equipment and assigned her to work alone in dangerous areas?

Yes \_\_\_\_\_ No \_\_\_\_\_

If you answer is No, then skip Questions 8 and 9 and go directly to Question 10.

8. Do you find that Plaintiff has proven by a preponderance of the evidence that Verizon denied her access to equipment, disregarded her seniority rights in the assignment of equipment and assigned her to work alone in dangerous areas because of her gender?

Yes \_\_\_\_\_ No \_\_\_\_\_

9. Do you find that Plaintiff has proven by a preponderance of the evidence that Verizon denied her access to equipment, disregarded her seniority rights in the assignment of equipment and assigned her to work alone in dangerous areas because of her race?

Yes \_\_\_\_\_ No \_\_\_\_\_

**C. Retaliation Claim**

10. Do you find that Plaintiff has proven by a preponderance of the evidence that the placement of notes in her personnel file was an adverse employment action?

Yes \_\_\_\_\_ No \_\_\_\_\_

If your answer is No, then skip Questions 11 through 16 and go directly to Question 17 if, but only if, you answered Yes to Questions 4, 5, 8 or 9. Otherwise, you are done deliberating.

11. Do you find that Plaintiff has proven by a preponderance of the evidence that she complained about gender discrimination to Verizon?

Yes \_\_\_\_\_ No \_\_\_\_\_

If your answer is No, then skip Questions 12 and 13 and go directly to Question 14.

12. Do you find that Plaintiff has proven by a preponderance of the evidence that at the time of her complaint, she had a good faith, honestly held and reasonable belief that she had been discriminated against because of her gender?

Yes \_\_\_\_\_ No \_\_\_\_\_

If your answer is No, then skip Question 13 and go directly to Question 14.

13. Do you find that Plaintiff has proven by a preponderance of the evidence that Verizon placed certain notices in her personnel file because she complained about gender discrimination?

Yes \_\_\_\_\_ No \_\_\_\_\_

14. Do you find that Plaintiff has proven by a preponderance of the evidence that she complained about race discrimination to Verizon?

Yes \_\_\_\_\_ No \_\_\_\_\_

Unless you answered Yes to Questions 4, 5, 8, 9, 13 or 14, you are done deliberating.

15. Do you find that Plaintiff has proven by a preponderance of the evidence that at the time of her complaint, she had a good faith, honestly held and reasonable belief that she had been discriminated against because of her race?

Yes \_\_\_\_\_ No \_\_\_\_\_

Unless you answered Yes to Questions 4, 5, 8, 9, 13 or 15, you are done deliberating.

16. Do you find that Plaintiff has proven by a preponderance of the evidence that Verizon placed certain notices in her personnel file because she complained about race discrimination?

Yes \_\_\_\_\_ No \_\_\_\_\_

Unless you have answered Yes to Questions 4, 5, 8, 9, 13 or 16, you are done deliberating.

**D. Compensatory Damages**

Do not answer Question 17 unless you have answered Yes to Questions 4 or 5.

17. Do you find that Plaintiff has proven by a preponderance of the evidence that she has suffered emotional distress because of the discriminatory termination of her employment?

Yes \_\_\_\_\_ No \_\_\_\_\_

If Yes, what amount, if any, has Plaintiff proven by a preponderance of the evidence will fairly and reasonably compensate her for these damages?

\$ \_\_\_\_\_

Do not answer Question 18 unless you have answered Yes to Questions 8 or 9.

18. Do you find that Plaintiff has proven by a preponderance of the evidence that she has suffered emotional distress because Verizon denied her access to equipment, disregarded her seniority rights in the assignment of equipment and assigned her to work alone in dangerous areas because of her gender or race?

Yes \_\_\_\_\_ No \_\_\_\_\_

If Yes, what amount, if any, has Plaintiff proven by a preponderance of the evidence will fairly and reasonably compensate her for these damages?

\$ \_\_\_\_\_

Do not answer Question 19 unless you have answered Yes to Questions 13 or 16.

19. Do you find that Plaintiff has proven by a preponderance of the evidence that she has suffered emotional distress because Verizon retaliated against her for complaining about gender or race discrimination?

Yes \_\_\_\_\_ No \_\_\_\_\_

If Yes, what amount if any, has Plaintiff proven by a preponderance of the evidence will fairly and reasonably compensate her for these damages?

\$ \_\_\_\_\_

**E. Punitive Damages**

Do not answer Question 20 unless you have answered Yes to Questions 4 or 5.

20. Do you find that Verizon acted wantonly, willfully and maliciously, with gross disregard for the rights of Plaintiff and for the purpose of causing injury to Plaintiff by terminating Plaintiff's employment because of her gender or race? If yes, what amount will adequately punish Verizon?

\$ \_\_\_\_\_

Do not answer Question 21 unless you have answered Yes to Questions 8 or 9.

21. Do you find that Verizon acted wantonly, willfully and maliciously, with gross disregard for the rights of Plaintiff and for the purpose of causing injury to Plaintiff by denying her access to equipment, disregarding her seniority rights in the assignment of equipment and assigning her to work alone in dangerous areas because of her gender or race? If yes, what amount will adequately punish Verizon?

\$ \_\_\_\_\_

Do not answer Question 22 unless you have answered Yes to Questions 13 or 16.

22. Do you find that Verizon acted wantonly, willfully and maliciously, with gross disregard for the rights of Plaintiff and for the purpose of causing injury to Plaintiff by retaliating against her for complaining about gender or race discrimination? If yes, what amount will adequately punish Verizon?

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SO SAY WE ALL.

\_\_\_\_\_  
FOREPERSON

**DATED:** \_\_\_\_\_, 2008